

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV-169-FL

KATHY KAMARA,)
)
Plaintiff,)
) O R D E R
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of)
Social Security,)
)
Defendant.)

This matter is before the court on Plaintiff's Motion for Judgment on the Pleadings and Defendant's Motion for Remand to the Commissioner. Plaintiff's counsel has indicated that she consents to the Government's Motion for Remand.

Accordingly, for good cause shown, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and § 1383(c)(3) and remands the case to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

Upon remand, Plaintiff shall be allowed further administrative proceedings before an administrative law judge for evaluation of Plaintiff's mental capacity to understand her appeal rights at the time her 1998 and 2001 applications were denied, and to re-evaluate whether reopening the determinations on those applications is warranted. The Clerk of Court is directed to enter a separate judgment pursuant to Rule 58 of the

Federal Rules of Civil Procedure.

SO ORDERED this 2nd day of October, 2011.



Louise W. Flanagan
Louise W. Flanagan
Chief United States District Judge